

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

JIM MOCK, et al.

Plaintiffs,

v.

CHANDELEUR HOMES, INC., et al.

Defendants.

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Case Number: 2:06-cv-00395-MHT

PLAINTIFFS' MOTION FOR LEAVE TO AMEND

COME NOW, the Plaintiffs by and through their undersigned counsel and hereby, pursuant to Rule 15(a), file this their Motion for Leave to Amend and as grounds therefore, the Plaintiffs would state as follows:

1. The original complaint in this case was filed on March 17, 2006 in the Circuit Court of Montgomery County, Alabama.
2. On May 2, 2006, the Defendant removed this matter from the Circuit Court of Montgomery County, Alabama to this Honorable court.
3. Through information received from the Defendants and through research done by Plaintiffs counsel's, it appears Champion Home Builders, Co. and Champion Homes of Boaz, Inc. are also proper Defendants in this suit.
4. Ironwood Homes of Dothan is also a proper Defendant in this suit.
5. Defendants will not be prejudiced by the amendment to add Champion Home Builders, Co., Champion Homes of Boaz, Inc., and Ironwood Homes of Dothan.

6. Additionally, Plaintiffs seek to amend their complaint to include a cause of action for fraudulent suppression. (Proposed amended complaint attached hereto as Exhibit "A"). Discovery has not commenced in this matter, therefore, defendants are not prejudiced by said amendment.

Wherefore, based upon the above premised reasons, the Plaintiffs would respectfully request this Honorable court to grant this their Motion for Leave to Amend to add Champion Home Builders, Co., Champion Homes of Boaz, Inc., and Ironwood Homes of Dothan as named individual Defendants and to include a case of action for fraudulent suppression.

Respectfully submitted this 25th day of August, 2006.

/s/ C. Gibson Vance
C. Gibson Vance (ASB-1923-N77C)

CERTIFICATE OF SERVICE

I hereby certify that on August 25, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following.

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